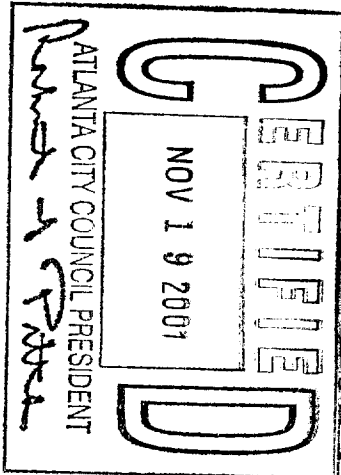


Entered -7/23/01 - sb  
CL -01L0473 - GWENDOLYN BURNS

CLAIM OF: KENYA WALKER  
through her attorney  
GUANMING FANG  
ARNALL GOLDEN GREGORY LLP  
1987 Lois Place  
Atlanta, Georgia 30318

01-R-1823

ADOPTED BY  
NOV 19 2001  
COUNCIL



For damages alleged to have been sustained as a result of a sewer backup on June 3, 2001 at 641 Erin Avenue, Apt. #3.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **KENYA WALKER through her attorney, GUANMING FANG, ARNALL GOLDEN GREGORY LLP** the sum of **\$860.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of a sewer backup on June 3, 2001 at 641 Erin Avenue, Apt. #3 as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

COMM

DATE NOV 19 2001

CHAR. C.T. M. M. M.

[Signature]

[Signature]

[Signature]

APPROVED

NOV 28 2001

DEPUTY CITY ATTORNEY

**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**01-R-1823**

**A RESOLUTION**

**BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment **Kenya Walker, through her attorney, Guanming Fang** to in the sum of **\$860.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as **a result of a sewer backup on June 3, 2001 at 641 Erin Avenue Apartment #3** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

  
Municipal Clerk, CMC

**ADOPTED** by the Council  
**RETURNED WITHOUT SIGNATURE OF THE MAYOR**  
**APPROVED** as per City Charter Section 2-403

NOV 19, 2001

NOV 28, 2001

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0473

Date: October 24, 2001

Claimant /Victim KENYA WALKER  
BY: (Atty) (Ins. Co.) Guanming Fang, ARNALL, GOLDEN, GREGORY, LLP  
Address: 2800 One Atlantic Center, 1201 West Peachtree Street, Atlanta, Georgia 30309-3450  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 860.00 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 7/20/01 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 \_\_\_\_\_ X Ante Litem (6 Mo.) \_\_\_\_\_ X  
Date of Occurrence 6/3/01 Place: 641 Erin Avenue, Apt. #3  
Department PUBLIC WORKS Division Sewer Operations  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: Claimant sustained property damage to her apartment from a sewer back up. An investigation determined that the combined sewer line was overloaded with rainwater and the City was on notice of said reoccurring problem but has failed to correct it.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant X Others \_\_\_\_\_ Written \_\_\_\_\_ Oral X  
 Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other X  
 Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
 Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ X \_\_\_\_\_ Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_ X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ X \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

Gwendolyn Burns  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ 860.00 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 X 2H01 \_\_\_\_\_  
Claims Manager: [Signature] Concur/date 10-3-01  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 3296  
11/19/01  
5:15 PM

Atlanta City Council

Regular Session

MULTIPLE

Favorable Claims; Public Safety Items  
1 through 18  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 3

Y McCarty	B Dorsey	Y Moore	Y Thomas
B Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	B Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

01-R-1809  
01-R-1810  
01-R-1811  
01-R-1812  
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01-R-1825  
01-R-1852  
01-R-1854

MULTIPLE